

CITY OF SAN BRUNO



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STAFF

Tambri Heyden, AICP, *Community Development Director*
Aaron Aknin, AICP, *Planning Manager*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Tony Rozzi, *Assistant Planner*
Lisa Costa-Sanders, *Contract Planner*
Cathy Hidalgo, *Recording Secretary*
Pamela Thompson, *City Attorney*

PLANNING

COMMISSIONERS

Sujendra Mishra, *Chair*
Rick Biasotti, *Vice-Chair*
Commissioners:
Mary Lou Johnson
Bob Marshall Jr.
Perry Petersen
Kevin Chase
Joe Sammut

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES

SEPTEMBER 19, 2006

San Bruno Senior Center
1555 Crystal Springs Blvd.
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:06 pm.

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Mishra	X	
Vice Chair Biasotti		X
Commissioner Chase	X	
Commissioner Johnson	X	
Commissioner Marshall	X	
Commissioner Petersen	X	
Commissioner Sammut	X	

STAFF PRESENT:

Planning Division:	Community Development Director: Tambri Heyden Planning Manager: Aaron Aknin Contract Planner: Lisa Costa-Sanders Assistant Planner: Tony Rozzi Community Dev. Recording Secretary: Cathy Hidalgo City Attorney: Pamela Thompson
Fire Department:	Fire Marshall: George Devendorf
Public Works Department:	Civil Engineer: Frans Lind
City Manager's Office:	Assistant City Manager: Jane Chambers

Pledge of Allegiance: Commissioner Marshall

A. Approval of Minutes – September 5, 2006

Motion to Approve Minutes of September 5, 2006 Planning Commission meeting.

Johnson/Chase

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

B. Communication

None at this time. Epacket available on www.sanbruno.ca.gov

C. Public Comment

None at this time.

D. Announcement of Conflict of Interest

None

E. Public Hearings

1. 373 Taylor Avenue

Request for a Variance to allow left and right side yard setbacks to not meet requirements by more than two feet per Section 12.124.010.B of the San Bruno Zoning Ordinance. Xiao Yun Chen (Owner/ Applicant). V-06-02

Conflict of Interest, Chair Mishra excused.

Associate Planner Rozzi entered staff report. We will re-notice meeting.

Staff Recommends continuance of Use Permit 05-78, based on Findings of Fact 1-6 and Conditions of Approval 1-18.

Commissioner Sammut asked Commission if there were any questions for staff.

None

Public Comment opened.

Public Comment closed.

Motion to continue Variance V-06-02.

Commissioner Chase/Marshall

VOTE: 5-0
AYES: All Commissioners Present
NOES:
ABSTAIN: Chair Mishra

Commissioner Sammut advised of a 10-day appeal period.

2. 405 Cherry Avenue

Request for a Use Permit to allow the construction of an addition to an existing residence which increases the floor area by more than 50% per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance. Alma and Jeramie Perez (Owners); Dale Meyer (Applicant) UP-06-07

Associate Planner Rozzi entered staff report.

Staff Recommends approval of Use Permit 06-07, based on Findings of Fact 1-6 and Conditions of Approval 1-16.

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Petersen, Condition 11. It appears to be a construction period conditions, but doesn't state that, is that the intention?

Assistant Planner Rozzi: Responded, yes, that they submit a plan for the lifetime of the property.

Planning Manager Akin: Added that any storm water measures they propose must be kept with the life of their home. They can't propose and then remove.

Chair Mishra asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced Dale Meyer, architect on project. Staff did good job giving the info on the house. Originally with the house they tried to design and keep the original foundation. With recommendations from ARC they redesigned to completely remove the old house and obtain more parking.

Commissioner Johnson: Plans look excellent. NE Elevation, back windows one is larger than the other, is that the intent? On Page P3.

Applicant: yes that is the intent, with the entry roof up higher at that location, didn't want to crowd the entry.

Public Comment opened.

Public Comment closed.

Motion to approve Use Permit 06-07, based on Findings of Fact 1-6 and Conditions of Approval 1-16.

Commissioner Sammut/Marshall

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

Findings of Fact

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use as the new home will require the applicant to obtain a building permit that complies with the Uniform Building Code and required set backs are met.
2. The proposed development will not be injurious to the neighborhood or to the City as a whole as it generally complements the current neighborhood design, both in scale and with its architectural features and is consistent with other homes found in the neighborhood.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low-density residential for the subject property. Any establishment of a second dwelling unit on the property would require Planning Division review and approval.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property or other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and

- scale of the neighborhood, since the structure maintains larger side and rear setbacks than the minimum required by code.
5. The general appearance of the proposed architectural design with a minor revision to the southeast elevation, will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this new home has been well designed with appropriate articulation and fenestrations.
 6. With the redesigned plans including a second car garage, the project will comply with the off-street parking standards.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-07 shall not be valid for any purpose. Use Permit 06-07 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on August 16, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. The applicant shall revise the southeast elevation to include a window on the first floor subject to review and approval by the Community Development Director.

Department of Public Works – (650) 616-7065

9. Install a sanitary sewer lateral clean out at property line per City standards details SS-01.

10. Paint address number on face of curb near driveway approach. Black lettering on white background.
11. Erosion control plan and storm water pollution plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020
12. Planting of one 36-inch box size approved tree or payment of \$540.00 each to the in-lieu replacement tree fund. S.B.M.C. 8.24.060
13. Permit from Parks required for pruning existing tree in medium planter strip. S.B.M.C. 8.24.050/070/11.

Fire Department – (650) 616-7096

14. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
15. Provide spark arrestor for chimney.
16. Provide hardwired smoke detectors with battery backup to all bedrooms and hallways.

Chair Mishra advised of a 10-day appeal period.

3. 401 San Mateo Avenue

Request for a Use Permit to operate an auto repair service in conjunction with the operation of an existing service station per Section 12.96.110 (C 10) of the San Bruno Zoning Ordinance. Stephen Ng (Owner/ Applicant). UP-06-22. *This item is to be continued to a later Planning Commission Hearing*

Assistant Planner Rozzi entered staff report.

Staff Recommends continuance of Use Permit 06-22.

Chair Mishra asked Commission if there were any questions for staff.

None.

Public Comment opened.

Public Comment closed.

Motion to continue Use Permit 06-22.

Commissioner Johnson/Marshall

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

Chair Mishra advised of a 10-day appeal period.

4. 2396 Evergreen Drive

Request for a Vesting Tentative Tract Map for the subdivision of three lots to 75 lots, and a Planned Unit Permit to allow the development of 70 new homes, per Chapter 12 of the San Bruno Municipal Code. SummerHill Homes, Applicant, San Bruno Park School District, Owner. PUP-06-001, TM-06-002

Planning Manager Aknin entered staff report.

Community Development Director Heyden entered staff report on Parks.

Staff Recommends adoption of Resolution 2006-07 adopting a Mitigated Negative Declaration and Mitigation Monitoring Program and adopt Resolution 2006-08, approving a Planned Unit Permit and Tentative Subdivision Map (PD 06-01, TM 06-02).

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Johnson: Clarification on emergency vehicle access, 2 driveways, are they through the actual project? Or from Sherwood to Albright?

Planning Manager Aknin: Responded one through Sherwood to Albright, and one through the project to Albright.

Commissioner Johnson: parking restrictions imposed?

Planning Manager Aknin: there will be red curbs within the city of San Bruno side on Sherwood to avoid overnight parking.

Commissioner Marshall: The parking in garages, how is that enforceable?

Planning Manager Aknin: So far on the Marisol project, it's working. It would be enforced by staff drive by and complaint process. Would expect the CC&Rs and the HOA to enforce as well. Street parking is also an enabler for not using their garage because the parking is available on the street.

Commissioner Marshall: was any traffic study done in Marisol where it is more the homeowners?

Planning Manager Aknin: Responded that the difference there are that Marisol has more than 50% more homes. The studies mentioned in the report are the only ones conducted.

Commissioner Marshall: on the entrance on Evergreen, how about street lighting, responsibility of the association or city?

Planning Manager Aknin: everything has to be done by city standards, if the lighting is not adequate, the pw director or police chief will enforce.

Commissioner Marshall: 70 homes, could have more children, will Rollingwood Elementary be able to handle?

Planning Manager Aknin: Responded that he spoke with the school district, enrollment is down, they will not be impacted.

Commissioner Marshall: Questioned the park fee, \$2.5 million, a credit was going to be a portion, based on the land value?

Community Development Director Heyden: we don't know what the cost of the improvements will be; estimate \$700,000 that will be credited. It is just a portion that will be credited.

Commissioner Marshall: before we approve shouldn't we know what we are going to have and what we are getting? There are many concerns of losing the existing baseball fields, which are really needed within the city, and dog park.

City Attorney Thompson: Responded that the law doesn't require that the city determine tonight how the fees are spent. It is encumbered unto the city to devise a plan how they plan on spending the fees in accordance with the Quimbi Act, which is a state law that regulates how the fees may be spent. The City must determine how it will spend the fees in accordance with state law that requires the city to spend the money to develop new or rehabilitate existing parks or recreation facilities that will serve the subdivision that is being proposed.

Commissioner Marshall: if we recommend approval tonight, then a year from now, they come back and the land value is a million dollars and it is going to cost us another million, so we will only have \$500,000 to rehabilitate the existing parks.

Planning Manager Akin: Responded that it is based on the land value of the purchase price. They will get credited the proportional amount of what the tot lot will be.

Commissioner Chase: Questioned, the remaining money will be used for development or improvement within that proposed development?

City Attorney Thompson: It has to benefit the subdivision, but the facilities don't have to be for their exclusive use.

Commissioner Chase: Under parks, the remaining funds used in city of San Bruno at the discretion of Parks and Recreation Service Director and the City Council, this seems more city wide, in the document, but what he is hearing it has to benefit the particular subdivision. Wants clarification.

City Attorney Thompson: Responded that the Parks and Recreation Department is to determine how money is used for this limited proposal and it must benefit the subdivision. The subdivision is creating an impact on the residential communities for parks and recreation, the money is spent in accordance to what the city determines but at a minimum will benefit the subdivision. This will be done on a case by case analysis.

Commissioner Chase: Questioned why it doesn't read like that on the report, it seems unclear.

Commissioner Petersen: Thanks staff for report. Applicant has presented a detailed package. There is a map that shows that every home has 4 parking spaces contained in the lot. Compared to many other applications, this is an important point. On the cell site, when installed, it was in low density area. Any consideration of the cell site posing any harm to the nearby residents?

Planning Manager Akin: Responded will contact the operators and ask for study.

Commissioner Petersen: The site plan shows what appear to be 2 access roads; one is actually only for emergency. When such an obvious access is not really an access, why not?

Planning Manager Akin: Responded, as proposed, the study conducted results that one works. Secondly, the City of SSF objected to a second drive access. All three studies concluded that one access road will work for this site.

Commissioner Marshall: did SSF give reason for objecting?

Planning Manager Akin: They didn't want to see the proposed open up into existing developments, whether it was a nearby court or Albright Way.

Commissioner Marshall: Interesting their developments can open into San Bruno streets, but they do not reciprocate.

Commissioner Johnson: Questioned, we cannot provide additional access unless SSF approves?

Planning Manager Akin: Responded that it puts a hurdle in the plan. Everything supports that one access road will work. So, we concluded this would work.

Commissioner Johnson: Portola highlands have 2 and the second is so seldom used, how does that work in comparison?

Planning Manager Akin: Responded that most secondary access roads are unused because the primary entrance makes better sense.

Chair Mishra asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Summerhill Homes, Elaine Breeze, presented project. Headquarters are in Palo Alto, built Marisol, working in SSF on a 4 story building project. Visual project with slide show. Showing maps and proposed development. Some topics discussed at other meetings, and surveys, were on parking, access roads and the trees.

Commissioner Chase: As far as the amount of eucalyptus trees to be removed, are any heritage trees?

Planning Manager Akin: Everything is heritage if big enough, generally parks and recreation department, like to remove. They are not native, they are potential fire hazard, and they are so large at this point, they are entering into their later life and poses a danger of falling limbs.

Commissioner Chase: On street scenes, your trees are full grown, are those going to be new or preserved?

Breeze: A combination of both. We are preserving healthy cypress trees, and along Shannon there are some Monterey pines, the one area that wouldn't have trees are the view lots. All trees proposed are 24" box trees, looking at having a good streetscape immediately.

Commissioner Chase: At the entrance, a sign or wall with the new subdivision name, is that necessary? If you want to incorporate that into the existing neighborhood, is that necessary?

Breeze: Responded on sheet L1.6, it is just a column with the name running vertical. Very subtle.

Commissioner Marshall: If eucalyptus trees are so dangerous, how come they are not all being removed?

Planning Manager Akin: The fire department reviewed it and with the 20' separation between the existing homes and the proposed homes they thought that would be a safe condition and it is in response to many neighborhood comments that they would like to see some of the mature trees remain there because they do act as a wind break.

Commissioner Marshall: Will there be provisions as these trees fall or die that the HOA will replace them?

Planning Manager Akin: The home owner association will be responsible for maintaining and cleaning up debris.

Commissioner Marshall: what about replacing?

Planning Manager Akin: When a heritage tree dies within the City of San Bruno, it doesn't necessarily have to be replaced, we would not want them to replace them with eucalyptus either.

Commissioner Marshall: Can we condition that the Parks and Recreation Department can replace with a tree of their choice?

Planning Manager Akin: Yes.

Chair Mishra: A1 document, site plan, bldg 11 –22 face the cliff, can you address the safety issue in terms of drainage, and potential landslide.

Breeze: Responded that the site was reviewed by geotechnical engineer and based on those recommendations the site is designed to have 2 features, lowering that site a little and providing a setback that was outlined for the project. In terms of slopes, the erosion control measures, hydroseeding will be included.

Chair Mishra: are there any green particles being used in these houses.

Breeze: some of the features that we will include are energy efficient related products, low E windows, the insulation is considered green, some paints. Homeowners will have the option of choosing other products such as floors, counter tops that are made from recycled products.

Chair Mishra: Will homeowners have the option for solar.

Breeze: no, they will have to go through the Architectural Review Committee of the Home Owners Association.

Commissioner Marshall: The lots, the parts that back up to Shannon, any thought of making those lots smaller for more on street parking?

Breeze: Out lots are lower than the Shannon Drive lots. We tried to balance tree preservation and keep some of the Cypress trees and provide the existing buffer. It was a mixture of site planning features.

Commissioner Marshall: if you made smaller by 10 feet, these lots seem larger than the other lots in the development, if made smaller you can have 2 sides of street parking.

Breeze: It would bring those homes closer to the existing neighborhood.

Commissioner Petersen: If you move closer to SSF by several feet, street A would get parking on both sides.

Planning Manager Akin: Take into consideration, when making lot sizes smaller, you would have to change the entire site plan.

Commissioner Marshall: It would give about 10 more spots.

Breeze: Then it would require the removal of those trees behind those lots.

Commissioner Petersen: There have been numerous comments on trees, when they are getting near the end of life span, when a branch fall, lots of damage. Was it discussed of putting in a combo of new trees instead of leaving the eucalyptus.

Planning Manager Akin: Another point about eucalyptus is that because of their oils that are really flammable, not too many other trees grow around or in the soil of their groves, that's why you don't see many other native trees around eucalyptus groves.

Commissioner Sammut: All the trees on view side are going to be taken out?

Breeze: yes, the existing, three cypress trees.

Commissioner Sammut: strictly for view?

Breeze: no, to meet the geotechnical considerations, those trees get removed to redesign the site. Open to adding trees if it of interest.

Commissioner Sammut: It would be nice to have a mature tree rather than trying to grow new ones. I prefer to see them left.

Breeze: will look into. Thinks that the proposed grades are lower than the trees. May be able to relocate the Cypress back into the site. Would have to check with the arborist.

Chair Mishra: On Sheet L1.2 – no bike path, opposed to adding?

Breeze: No, not at all.

Public Comment opened.

Public Speaker #1, Elsa Tenbrock, 23950 Evergreen, one of the properties at the proposed development. Does not oppose development. Opposes the current proposal for the following reason: single entrance/exit. Unfair burden that pre exist on Evergreen Drive. Counted 94 parked cars about 4pm on a workday on Evergreen from the bottom all the way up. Police and fire will be impacted. Parking will flow out to Evergreen when visitors come. Recommend the following: 2nd entrance, there must be no locked gates and PG&E needs access and this plan must not put a financial burden to the existing homes backyards are going to be changed by the new property lines.

Public Speaker #2- 2290 Evergreen, agrees with last speaker. Reduction in traffic would be an improvement. The trees in his yard will be removed. What is the replacement? Having 2 access roads is important and the usage.

Public Speaker #3-2350 evergreen. Object to the high density of this project, inadequate parking, one access, removal of heritage trees, unless all trees are removed and replaced. Objects that it wouldn't have impacts. Recommend denial of application. Recommend an independent study firm in preparing an EIR for consideration of the true impact on our municipals. Objects to all issues to the selections and the EIR not necessary. SEE TAPE.

Public Speaker #4-2518 Albright, SSF. Comment: read EIR and according to the letter received from CDD, wanted to get copy, no way they could reproduce, no one to speak to. Did read, and would like you to add" pg 59 – "any proposal to open the entrance gate on way c would require a new EIR that would conclude the study of the impact on Shannon, Gellert, Westborough. Also 59 no indication on site plan.

Public Speaker #5-2490 Evergreen; house on the corner of Sherwood and Evergreen where proposing red zone and emergency exit. When all the traffic studies done, Evergreen is not a divided road, it is a neighborhood street. The width of the new entrance is very narrow. They never considered Summit court as a way out. We didn't consider Albright. Nice of Summerhill for rear fences. The original fences put there for a reason, it slopes, if new, have to be at the same elevation of my existing fence, but would like complete. Doesn't want to spend the extra money. No problem with Eucalyptus

Public Speaker #6 - 2751 Evergreen. Complaints- access is insufficient. It is a hurdle for the developer to work with SSF, should not be the impact of the neighbors, that is something the

developer should overcome. Doesn't feel the traffic study is adequate. How about study in the evenings and late at night. Noise issues were not even considered in the study. Doesn't accept the characterization of 30% reduction. Need to work with SSF to find the access road, a revised or more detailed traffic study needs to be completed.

Public Speaker #7-2410 Maywood. Echoes comments on traffic. Doesn't believe in the study regarding the preschool, there was a lot there, there really wasn't the impact that this community being developed will impose. Guest parking will overflow into the neighborhood. When in building stage, which way will the equipment, large trucks and construction come in? Is there anything in writing for damage in relation to the construction?

Public Speaker #8-2200 Valleywood, since 87. Echoes comments. Planning Manager Aknin said he responded and he didn't respond and his response was cc: to Concerns about the wildlife and endangered species on the property since it is vacant. Suggests further study since this was inadequate. Comment on pc study, this project is 1/2 mile away from the fault. There are already problems with landslides. There is a small egress, small slope and only takes one car to block the exit. Setting up for a fire like the Oakland hills. Motivation for Summerhill is greed.

Public Speaker #9-165 London. Asking for approval. San Bruno School superintendent. Serve 2,541 students. Thanks staff of city and Summerhill. The school district feels this will be an important addition to the community and city of San Bruno. The sale will serve to improve the education of the school district.

Public Speaker #10-2460 evergreen. Not opposed to the proposal. Opposed to the development. This is a cul-de-sac. Nearby cities would not allow this development. Questions the traffic study. Because of miscalculation, the impact is not ideal. New fences should be installed along the same elevation. PGE should be given better access. The priorities should be to replace the ball fields and improve the Monte Verde Park. Deny requests from Summerhill.

Public Speaker #11-460 Hazel. Member of committee with San Bruno School District, 711 committee. Comprised of residents, real estate and other professionals within the district. The site is in surplus. The committee did consider that Rollingwood meets the required needs for enrollment. Personally had association with site, children attended Hoover, wife employed there. Shielded by the Eucalyptus, even during the day, car was broken into at that site. Development does not shield the site from certain nuisances. Project does

Public Speaker #12-2399 Valleywood. Echoes comments on planned traffic study. Since Maywood and evergreen empty out to the freeway, it will cause impact. The streets are narrow, number of accidents, physical injury as well as property damage. The site needs 2 entrances, on housing codes. Believe another study should be done; Evergreen has a blind hill, difficult to get in and out of those driveways.

Public Speaker #13-363 Taylor. Attended Carl Sandburg, remembers how peaceful it was when walking to school. Not satisfied with the entrance. If wanting to buy a home, would want another way to get out of area in the event of an emergency. Please re-plan and open up another entrance/exit.

Public Speaker #14-2390 evergreen. Agree with proposal in concept. Traffic impact on neighborhood. Evergreen 32' wide, # homes on evergreen. Now new homes will also be using evergreen as their main road to get in and out. Disagrees with the study. The study assumes that there were 350 cars coming out of that facility during peak hours. No way is that estimate of a car going in and out every minute accurate. The impact upon the neighborhood, the

Public Speaker #15-2311 evergreen. Iterate other comments. The traffic. If something set up for the repair of the streets with these large trucks, after the construction. Sewer system going out towards evergreen, unsure if that will impact their residence. Don't believe impact study is accurate. Unable to compare that to a 70 family development.

Public Speaker #16- Maywood, Henderson. Concerned about traffic in an emergency with the street being narrow; uses Oakmont. This development must have 2

Public Speaker #17-2570 Maywood - Shortsighted if the community has less park than what is specified by the municipal code. Out of the trees, 400 of them are heritage; they should be replaced, not removed. Uses the dog park. The report is misguided on the use of that area. The proposed park should be where the view is. Not safe to build there since there is a sinkhole.

Public Speaker #18- 2101 evergreen. Kessinger. Born and raised. Echoes all other comments. Has a petition from the neighbors. Has additions to those and will bring them. Has at least 200, knows that can get more. The concerns, too many house, not enough exits. The other meetings were discouraging with Summerhill. Summerhill promised more meetings, only held 2, no changes, instead of 72, now 70 none of the issues of the residents were addressed. It will effect their quality of life. Miss the baseball fields and the dog park.

Public Speaker #19-2550 evergreen. Besides sewage and traffic. The issue of the trees, they are a lot taller than you think. They need to be topped off, then thinned out. They need to be topped off, nobody addresses. They are 90' in height and with the winds, they sway a lot. Should be addressed by the City, they spent too much time putting "stop look and wave" at the intersections, haven't looked at the trees in a long time.

Public Speaker #20-2536 Sherwood, spends most of her money in SSF, at Pet Club, PakandSave and we should negotiate with SSF. What is the San Bruno district going to do with the equipment that has been vandalized? Lots of graffiti, broken stuff, and windows and when will they clean this place up?

Public Comment closed.

Commissioner Sammut: requests arborist. Can Cypress be taken out and put back in?

Arborist: Walt Beamus. Yes, ordinarily. They are quite large and on the older side. It is a gamble whether they would survive if moved.

Commissioner Sammut: Can eucalyptus be topped off?

Arborist: yes, quite often, they top them off to cut down on the chances of debris falling.

Commissioner Sammut: is there a safe height or a general height to be topped off at?

Arborist: Not usually, depends on the species. The species involved here, then Topping them off 30-50 feet would be in line as compared to the 80, 90 or 100 feet.

Commissioner Marshall: To staff: During construction, are there truck routes set up?

Planning Manager Akin: that is something the engineering department is currently working on. We are going to take a look at our traffic study and the levels of least impact they will be directed to those routes. Any damage done during project time, the developer is required to pay for the damage for the streets to go into pre-project condition.

Chair Mishra: has the applicant entered a disruption plan? Dealing with noise and such, and how they will notify the residents on what is going on?

Planning Manager Akin: There are 2 conditions related to that, the 1st – preconstruction meeting, with the same notification of 1000ft, at that meeting, developer sets up a construction timetable. And 2nd is to have someone that can be contacted by cell phone on site that the neighbors can contact with impacts and problems, and get an immediate response. If they don't get a response then they can contact the City.

Chair Mishra: what should the residents expect for a response time?

Planning Manager Akin: Will respond the same day.

Commissioner Sammut: The construction hours and days, wasn't there. Marisol, the Planning Commission conditioned for the Marisol.

Planning Manager Akin: Let applicant propose, municipal code is brood, from 7am to 10pm daily, including Saturday and Sunday.

Commissioner Marshall: Between now and when Construction begins, who is responsible for the trees if they fall?

Planning Manager Akin: Who ever's property it is one, or the schools.

Breeze: Construction hours were discussed at length, proposes to accept what was done at Marisol, that was scaled back from the Municipal code, and that excluded weekends and from 7:00 am – 6:00 pm. We are prepared to do the same as with the Marisol project, and when and if needed, make the request to the City for times outside that scope.

Commissioner Johnson: Comments that Neighbors may want to limit the construction, it will then lengthen the project. It needs to be respectful to the community.

Chair Mishra: To Staff. Did we receive comments from environmental groups such as the Sierra Club?

Planning Manager Akin: No, and speaking of the gentlemen, we received letter outside of the 20 day period, that's why we didn't respond. Had someone go out to site and it is reviewed in the report, how conditions relate to endangered species and that they are observed.

Chair Mishra: have we received anything?

Planning Manager Akin: No

Chair Mishra: Issues heard are the entrance and that the traffic study is flawed, was the public notified of study?

Planning Manager Akin: The public is notified that the study exists. The methodology is discussed in the report, pretty basic study. They go out there and count traffic physically, they use manuals that are used in each EIR across the state, in this case 9 – 10 trips per home generated from a residential use, which is national standards. They are consistent with our local findings.

Chair Mishra: As far as the resolution is concerned, are we voting or forwarding?

Planning Manager Akin: we are voting, then city council brings up brand new.

Commissioner Petersen: to City Attorney, understands the planning commission decision is the final decision, but the city council reserves the right to affirm, reject or modify it to their liking.

City Attorney Thompson: correct.

Commissioner Petersen: Following on that line of reason, would like to comment on application that we should consider changing prior to approval, and urges the other commissioners to consider the comments of the public, in his opinion:

- 2nd access, should be a requirement of any approval
- parking is provided on street, not as good as other neighborhoods and should be improved and the minimum should be the adjustment of widening one of the streets with designated parking on both sides.
- Existing fences should be kept exactly the way they are and if the developer makes a secondary fence behind it that would be their responsibility and my judgement that is something that can be ironed out.
- The trees, it seems a lot are being cut down and if the existing is topped, doesn't recommend change.
- The traffic study is not a template, this is as good as a study you are going to get.
- There is a provision for the sewer capacity, there is a provision for adding another pump station and that is being handled well.
- Advocating for an Increase in parking and second access.

Commissioner Marshall: Agrees with the last point and would like definition of the Park fees be defined prior to approval. Construction truck route.

City Attorney Thompson: An illegal position regarding the park fees. That is not a condition for the developer.

Commissioner Marshall: Believes that the community deserves the right to know where \$2.5million is going to be spent. The city states where the fees go prior to development.

Commissioner Chase: Agrees with Petersen, parking on that street is okay, 2nd exit/entrance needs to be mandatory. Trees, in lieu of removing 300-400, top them all off, maybe only have to remove 100. Under the impression that the Fire dept requiring those trees be removed, in lieu of that, has the Fire Department spoke with an arborist, is there another option?.

Planning Manager Akin: San Bruno has a City Arborist who has reviewed with the Fire Marshall. Not an issue of topping, it is an issue on how close the eucalyptus trees are to the homes. Regardless of them being topped, a majority of them will be too close to the homes and that is the actual danger.

Commissioner Chase: Is there a way to significantly reduce the number of trees being removed without creating a fire hazard?

Fire Marshall: George Devenforf. The biggest issues with "Oakland Hills" type fires is defensible space, number of trees wasn't the issue it was getting 20 clear defensible feet and the condition was to have that, especially with eucalyptus being so flammable and we implemented some other conditions to mitigate the remaining groves being safer and one is clearing the underbrush, so a grass fire wouldn't spread into the trees. By doing this the existing grove would be much healthier because another condition was removing all the dead and diseased trees from the existing grove. Mostly to have defensible space which mitigates the heat which radiates from the highly flammable and hot fires of the eucalyptus trees.

Commissioner Chase: whether project goes forward or not, still need the defensible space, right?

Fire Marshall: correct, clear space.

Commissioner Chase: Haven't mentioned other viable ways to get out of the area, other streets are available. To applicant, In Marisol, agreement with the building trades in San Mateo, have you discussed any of that with this project?,

Breeze: Yes, have discussed with building trades and will be entering into agreement with them for this project.

Commissioner Sammut: to staff, the power poles, are they currently in the back yards of the residents on Fernwood.

Planning Manager Akin: not in backyards, but in residents property. Original development didn't have fences on the property lines.

Commissioner Sammut: PG&E still access poles through the school property.

Planning Manager Akin: the way easements work, PG&E has the right to go onto their property, but PG&E may have found easier way through the school.

Commissioner Sammut: PG&E to get access should be through the site the grove of the eucalyptus trees.

Planning Manager Akin: it would depend on where the fence line is. It would depend on whether PG&E wants an easement on the development or if they prefer going through the individual property.

Commissioner Sammut: Does Summerhill have any problems giving PG&E access through the development?

Breeze: Responds that the complication becomes that that will be Home Owner Association property that has insurance and all that and the property line is on the other side of the power lines so what they will be doing is if we put our fence on the property line, which is what we are proposing to do, we would have to put a gate into someone else's property to access those lines, but we won't take the responsibility.

Planning Manager Akin: We noticed PG&E and haven't received any comments. They are aware of the project.

Commissioner Sammut: Believes the traffic report but believes 2 exits make more sense than one. Not so much on a day to day basis, but more in the event of an emergency. Too many homes for one exit. With trees, top off, remove, work with arborist. Concerned about the cypress trees. They are native, would like to see them implemented into the plan.

Commissioner Chase: To Fire Marshall, on defensible space, currently right now, who's responsibility is it for that space, is it the school district, homeowners, or is it just currently an abandoned site?

Fire Marshall: The majority of the trees are on the school district, to provide some defensible space for the homes for Evergreen, would have to remove those. Another condition, the roof and outside structure be made of flame resistance material. For the new homes and the existing that is why we are requiring 20 feet.

Commissioner Chase: in the event it doesn't go through tonight and there are delays, is there an ordinance to mandate that defensible space to be done in a period of time?.

Fire Marshall: When a project comes through, the departments review the project to see what impact it will have on the community. So, the trees, euc groves, was one of the aspects of our

hazardous assessment and we are given the opportunity to mitigate conditions for the new development. That's when the fire department gets the opportunity to mitigate a fire hazard.

Commissioner Marshall: if this is approved, can we condition that defensible area be cleared with a certain time limit and all the debris removed.

Planning Manager Akin: yes, you can put a time table conditions. Construction is to begin in 6 months, I would recommend within a year period.

Commissioner Marshall: Can they start before construction? Would that be the first phase?

Breeze: Responds that with all the necessary approvals in place, we would have all the trees and the building removed within 90 days. We would start within 6 months, our interest is to start immediately.

Commissioner Marshall: is that a good time frame, 90 days?

Breeze: Responds, yes

Commissioner Sammut: Since the Fire Marshall spoke on combustible materials, what is the siding on the plan going to be, is that wood or cement siding?

Breeze: Responds that it is cement. Hardy Plank.

Commissioner Johnson: There was a lot of comments on dog park, fields and safety, and safety was the number one issue that the public focused on. Trees do grow back within a few years. Feels strongly that safety is an important focus. Professional construction companies seem to be considerate of the safety of their equipment and the surrounding residents. Supports 2 exits in and out of the project.

Chair Mishra: 2 entrances, the sights shows one entrance and one emergency. How feasible is it to add a second without taking any of the existing homes, this project is adjacent to SSF on three sides, is it even feasible to even think of the idea?

Planning Manager Akin: the easiest way to get out would be to SSF, that is the feasible way. Rerouted and go out Sherwood, going out through SSF would be more feasible instead of redirecting an exit to come out onto the same street in San Bruno.

Chair Mishra: Can you re-iterate SSF's response?

Planning Manager Akin: "There response, you can read in the response to comments. "While the city fully endorses the connection for emergency vehicle access, we strongly urge you to drop the option and the study of the street connection". They strongly support the EVA but want us to stop looking at the option of connecting to SSF streets.

Commissioner Sammut: what is their legal status? If you just pave up to their streets? They can strongly urge us to not do it, but what is their legal status?

City Attorney Thompson: Keep in mind that SSF would be in a position to file whatever legal challenges they may want to pursue either by taking issue with the Environmental documents or other grounds that they might develop.

Commissioner Johnson: To Staff, could it be made into a potential access out and open it up at a later date?

Planning Manager Akin: would require site plans being approved. Can amend the project.

Commissioner Johnson: Comments that this project improves the school and our students will benefit.

Commissioner Marshall: To Staff, if we approve this, can we insist the burden be put on the developer to get the 2nd access approval through SSF.

Planning Manager Akin: The burden could be on either. If approved a certain way, the developer would have more incentive to work out that deal.

Commissioner Sammut: Believes an entrance off Shannon Drive would be a vital entrance.

Commissioner Petersen: to staff: The second access, if we put a condition here the developer and the city staff are very imaginative and a strong argument for the City of SSF to accept that, is then they have a road connection to the new development and would improve the property values of SSF much more so than if there was just a EVA only. Would these conditions be conditions to the planned permit?

Planning Manager Akin: it would be conditions to the tentative map. We want these conditions on the final map. When you put your motion forward the resolution should say vesting tentative map instead of tentative map

Chair Mishra: the expenditure plan for the parks, supports the City Attorney and that it already has been defined if the citizens are concerned is the communication plan and how the citizens get the information. The city council votes on that.

City Attorney Thompson: The city has 5 years on how to decide to spend the money. This is a condition that the applicant cannot meet.

Chair Mishra: regarding studies, stands behind the professionals who submitted the reports.

Commissioner Chase: when the resolution is read and the vote is taken, how are all of the comments and additional conditions that were discussed, how are they incorporated into this resolution.

City Attorney Thompson: Everything said is part of the record. Articulate the requirement, indicate where the 2nd access would be and what provisions you would accept.

Commissioner Petersen: Modification of the map to require a second access where it is indicated on the vesting map as Way C. Reason being of public concern, safety and ready access, mitigating traffic volume and providing ready access for more than one location. Increase the parking by providing public parking on both sides of street A, where it butt Street B, from lot 26-35 approximately, reason to make development more consistent with other developments in the city. Applicant will clear the tree area and the debris within the first 90 days after the final approval of this application. The applicant will work with the city to mitigate traffic with the construction. The trees will be treated as specified, but topped with guidance of the arborist. The applicant will work with the city for construction hours, comparable to Marisol. The Cypress Trees, on the slope to the east, a reasonable and straight forward attempt to salvage those trees are replant them.

Commissioner Chase: doesn't agree with the additional parking, since each home has 4 stalls.

Commissioner Petersen: believes that is not consistent with streets in San Bruno. 2 sided streets would be consistent with the City of San Bruno.

Commissioner Chase: If any part of the changes we are proposing, can the city council pick and choose as they deem necessary.

Planning Manager Akin: they know your vote, but ultimately it is there decision.

Motion to adopt Resolution 2006-07 adopting a Mitigated Negative Declaration and Mitigation Monitoring Program ,

Roll Call Vote 6-0

VOTE:	6-0
AYES:	All Commissioners Present
NOES:	None
ABSTAIN:	Vice Chair Biasotti, Absent

RESOLUTION NO. 2006 – 07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR THE DEVELOPMENT OF THE MERIMONT PROJECT (APN 091-143-210, 091-143-220 and 017-161-050) (PUP 06-01 and TM 06-02)

WHEREAS, on February 15, 2006 SummeHill Homes. ("Developer") submitted an application to the City of San Bruno to develop the 10.3 acre site formerly Carl Sandburg School, located at 2396 Evergreen Drive, San Bruno (Assessor's parcels 091-143-210, 091-143-220 and 017-161-050) (the "Property") to subdivide the property from three lots to 75 lots and for the development of 70 new single family homes (the "Project"); and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, an Initial Study and Draft Mitigated Negative Declaration, dated August 15, 2006, have been prepared by Environmental Science Associates (ESA) to analyze the environmental effects of the Project and, based on the type and intensity of land uses identified with the proposed Project and the information contained in the Initial Study, the Project would not have a significant adverse effect on the environment that would not be mitigated by the proposed mitigation measures; and

WHEREAS, the public review of the Draft Mitigated Negative Declaration required by Public Resources Code Section 15073 has been provided; and

WHEREAS, Developer has agreed to incorporate in the Project all applicable mitigation measures identified in the Draft Mitigated Negative Declaration to reduce environmental impacts to less than a significant level; and

WHEREAS, on September 19, 2006, the Planning Commission considered the Initial Study and Draft Mitigated Negative Declaration, public comments and responses, and the application of all mitigating measures; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Bruno, based on facts in the staff reports, written and oral testimony, and exhibits presented:

1. The Planning Commisison has reviewed and considered the information contained in the Initial Study and Mitigated Negative Declaration and all oral testimony and written comments received.
2. Based upon the Mitigated Negative Declaration and comments and testimony received, the Planning Commission hereby finds that there is no substantial evidence that the Project will have a significant adverse effect on the environment and that the Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.
3. The Planning Commission hereby adopts the Mitigated Negative Declaration attached hereto as Exhibit A and the Mitigation Monitoring Program attached hereto as Exhibit B.
4. The City is the custodian of the documents and other material which constitute the record of proceedings upon which this decision is based, which documents and other

materials are located at the City of San Bruno, Community Development Department, 567 El Camino Real, San Bruno, CA 94066.

5. The Community Development Director is hereby directed to file a Notice of Determination with the County Clerk of the County of San Mateo following the adoption by the Planning Commission of the Resolution approving the Planned Unit Permit and Tentative Parcel Map.

Dated: September 19, 2006

Planning Commission Chair

ATTEST:

APPROVED AS TO FORM:

Planning Commission Secretary

City Attorney

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I, Tambri Heyden, Planning Commission Secretary, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of San Bruno this 19th day of September, 2006 by the following vote:

AYES: Commissioners: Mishra, Chase, Johnson, Marshall, Petersen, Sammut

NOES: Commissioners: _____

ABSTAIN: Commissioners: _____

ABSENT: Commissioners: Biasotti

Motion to adopt Resolution 2006-08, approving a Planned Unit Permit and Tentative Subdivision Map (PD06-01, TM06-02) with the following additional conditions of approval and the revised additional conditions stated in the staff report addendum dated September 19, 2006:

Modify the map to require a second access where it is indicated on the vesting map as Way C. Due to public concern and safety and need for ready access and mitigation of traffic volumes.

Increase the on street parking by providing public parking on both sides of street A, between lot 26-35 to make development more consistent with other developments in the city.

Clear the Eucalyptus and Cypress trees and the debris noted in the arborist's report and conditions of approval within the first 90 days after the final approval of this application.

The applicant will work with the city to mitigate construction traffic.

The Eucalyptus trees will be treated as specified in the arborists report and conditions of approval, but topped at 40 – 50 feet in height with guidance from the arborist.

Construction hours shall be limited to those that were established for the Marisol development.

Increase efforts to preserve the existing Cypress trees and replant them.

Roll Call Vote 6-0

VOTE:	6-0
AYES:	All Commissioners Present
NOES:	None
ABSTAIN:	Vice Chair Biasotti, Absent

Chair Mishra advised of a 10-day appeal period.

Findings for Approval

In order to grant the Planned Unit Permit and approve the Tentative Parcel Map, the Planning Commission would need to make the following findings:

1. With respect to the Tentative Map, the Planning Commission finds:
 - a. The proposed tract map, together with the provisions for its design and improvement, is consistent with the general plan, as amended pursuant to the Planning Commission's recommendation, and any specific plan as specified in Section 65451 of the Government Code.
Basis for Finding: The General Plan designation for the site is Low Density Residential and the proposed project is consistent with the allowed density, lot coverage, height and consistent with the General Plan policy to "encourage innovative design and site planning in new development which enhance the community's appearance and assure compatibility with the surrounding scale, character, and intensity of land uses". The proposed new single-family development fits in well with the surrounding single-family neighborhood.
 - b. The real property to be subdivided, and each lot or parcel to be created, is of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, geologic hazard or other menace.
Basis for Finding: Mitigation measures have been included requiring a compliance with the site-specific recommendations in the geotechnical study, for permanent erosion control measures;

and abatement of any lead-based paint or asbestos materials. Conditions of approval have also been included to comply with the Fire Department and Public Works Department requirements. These mitigation measures and conditions of approval will ensure that each lot to be created can be safely developed without danger to health from fire, geologic hazard and ground contamination.

- c. Each lot or parcel to be created will constitute a buildable site and will be capable of being developed in accordance with the applicable provisions of the zoning code, as amended pursuant to the Planning Commission's recommendation.

Basis for Finding: The parcels are designed to accommodate the proposed development plan, and therefore each parcel to be created will constitute a buildable site and will be capable of being developed in accordance with the proposed development plan.

- d. The site is physically suitable for the type and proposed density of development.

Basis for Finding: The site is approximately 10.3 acres in area. The applicant is proposing 70 homes and common area, resulting in a density of 6.8 units per acre that is consistent with the General Plan Low Density Residential designation of eight units per acre. The site is fairly level with the current school grounds. The development will not cause significant disruption for the grade. Therefore, the site is physically suitable for the type and proposed density of development.

- e. The design of the subdivision and improvements, and the type of improvements, is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat or to cause serious public health problems.

Basis for Finding: Mitigation measures have been included to require the applicant to incorporate erosion control measures to reduce storm water runoff and compliance with the Regional Water Quality Control Board requirements. Furthermore, mitigation measures have been included to minimize temporary construction dust impacts to an acceptable level.

- f. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed subdivision.

Basis for Finding: As conditioned, the final map must show a public access easement on the interior park. Therefore, the design of the subdivision and improvements will not conflict with any public use of the subject property. Additionally, the road serving the development and the new park will be open to the public. Therefore, public access to the development will be available.

- 2. With respect to the Planned Unit Permit, the Planning Commission finds:

- a. The applicant has demonstrated that they intend to obtain a building permit in six months of the approval of the project and that they intend to complete the construction within a reasonable time.

Basis for Finding: As a condition of approval, Planned Unit Permit 06-01 and Tentative Tract Map 06-02 shall become null and void if a building permit has not been secured within one (1) year from the effective date of the approval thereon. Furthermore, the applicant had indicated their intent to start construction within six months pending final approval of the development plans.

- b. The proposed planned unit development conforms to the General Plan in terms of general location, density and general standards of development and criteria contained in the zoning code.

Basis for Finding: As stated above, the development is consistent with the general plan density of 8 units per acre, meets the general standards of development in the zoning code for lot coverage when considering the overall development, height, floor area and covered parking.

- c. The development of a harmonious, integrated project in accordance with a precise development plan justifies exceptions to the normal requirements of the zoning code.

Basis for finding: The development is well designed architecturally and will contain consistent landscape features. The development is compatible with the surrounding single-family neighborhoods and fits in well with the existing site conditions. With the preservation of open space and development of a new park, the development justifies exception to the normal requirements of the zoning code.

**CONDITIONS OF APPROVAL
MERIMONT PROJECT
PLANNED DEVELOPMENT PERMIT
(PUP-06-01)**

General Conditions

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of City PUP-06-01 & TM-06-02 shall not be valid for any purpose. PUP-06-01 and TM-06-02 shall expire two (2) years from the date of Planning Commission approval unless a building permit has been secured.
2. The project shall be built according to plans approved by the Planning Commission on September 19, 2006, included as an attachment except as required to be modified by the Conditions of Approval and Planning Commission action. Any modification to the approved plans shall require review and approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. Applicant shall comply with the approved mitigation monitoring program.
6. The development shall meet all development standards, including but not limited to, set backs, parking, and height limits, as set forth in the Development Plan Project Data sheet submitted with this application, as approved and conditioned by the Planning Commission.
7. A Home Owner's Association (HOA) shall be formed prior to issuance of a building permit on the new home construction. The final Conditions, Covenants and Restrictions (CC&R's) shall be reviewed by the City Attorney and Community Development Director to ensure consistency with the project conditions of approval prior to recordation of the Final Map.

Fire Department

8. Street widths shall be a minimum 20 feet wide without parking, 28 feet wide with parking on one side, and 36 feet wide with parking on both sides

1. A minimum 32 feet inside turning radius shall be provided on all roadways except at lots 66, 27, 46 and 55.
 2. Street names and addresses to be approved by the Fire Marshal and Building Official.
 3. The length of driveways shall be a minimum of 18 feet to allow two-car side-by-side parking without obstructing the street fire lane or sidewalk.
9. Fire hydrants shall provide a minimum of 1,000 gpm with a minimum of 20-psi residual pressure.
 - a) The applicant shall provide documentation of adequate fire flow.
 - b) Fire Hydrants shall be a Clow model 960. (see City Standard)
 - c) Provide fire hydrants at the following locations; lots 1, b, a, 51 and 67 (or Albright Way)
 10. Provide an NFPA 13D fire sprinkler system for all homes with coverage in the attic and garage.
 - a) Provide horn and strobe water flow alarms facing the street, rated for exterior use and have a time delay of 45 to 60 seconds.
 11. All exterior construction and roofs excluding wood trim and accents are to be fire-resistive.
 12. Perimeter fencing along the southeastern portion of the site shall be fire-resistive (at the rear of lots 10 through 15), or alternatively to the satisfaction of the Fire Marshall.
 13. The Fire Department has the following comments related to site entrances and exits:
 - a) Public access via Evergreen Drive be open at all times.
 - b) Albright emergency vehicle access (EVA) shall have a gate to restrict traffic for emergency use only.
 - c) That Sherwood and Albright streets be connected to allow an EVA which is gated to restrict traffic for emergency use only.
 14. Provide minimum 4" illuminated address numbers.
 15. All trees and landscaping shall be evaluated by an Arborist.
 - a) All dead, dying or diseased trees shall be removed. All remaining trees shall be limbed up to approximately 8', properly pruned, and cleared of underbrush
 - b) All trees and landscaping in common areas shall be maintained by the HOA to mitigate fire hazard.
 - c) All planting of trees and landscaping to be approved by the Parks and Recreation Department to insure their being fire resistive.
 - d) Remove all trees providing a minimum of 20' defensible space behind existing homes on Evergreen and new homes to mitigate potential fire loss.
 - e) All dead and diseased eucalyptus and pine trees located on the down slope of the new homes adjacent to Shannon Drive shall be removed.
 16. Provide spark arrestors if wood burning fire places are provided.
 17. Reimburse the Fire Department, not to exceed \$1000, to change City maps, GIS database, fire department Emergency Response Books, and San Mateo County Dispatch database to reflect street names, addresses and fire hydrant locations

San Bruno Cable

18. Provide B-36 utility underground vaults with extensions for customer equipment and taps
19. Provide B-44 utility underground vaults with extensions for active electronic equipment such as amplifiers and nodes
20. Provide schedule 40 two-inch conduits to each residence with pull string
21. Provide schedule 40 three-inch conduits for the main trunk lines with pull string

22. Wiring within the residence shall consist of two RG6 (60% braid) cable and routed in homerun design for each outlet
23. Provide a grounded wire for attachment to the cable at the demarcation point with a minimum gauge of 14
24. Provide electrical outlet within the data panel box inside the home and inside the garage at the demarcation point for fiber to the home

Park and Recreation

25. A Homeowners Association (HOA) shall be formed to maintain the eucalyptus tree grove, and all common landscaped areas associated with proposed project. The CC&Rs shall specify homeowner responsibility to maintain the street trees.
26. That a minimum landscape setback standard of twenty (20) feet be imposed between all rear residential lot lines and the eucalyptus grove, and, twenty (20) feet between all residential lot lines of existing homes and the eucalyptus grove that borders the project. The twenty (20) foot setback on each side may be minimally landscaped (definition of minimally landscaped to be determined by Parks and Recreation Services Department) and maintained/improved by the HOA, consistent with Fire Department requirements for a defensible space.
27. That all eucalyptus trees on the subject property be cleaned, thinned, and maintained in accordance with certified arborist standards for such tree species.
28. That any and all proposed recreation amenities, facilities and trail systems be reviewed, pre-approved and signed off by Parks and Recreation Services Department staff, prior to Final Map approval.
29. The selection of Street Tree species and landscaped pallet conform to City standards and reviewed by Parks and Recreation Services Department staff.
30. Applicant shall construct two-practice grade replacement baseball fields to the satisfaction of the Parks and Recreation Services Director. .
31. The cost of the tot-lot improvements and land shall be credited towards the park-in-lieu fee payment. Tot-lot improvement plans shall be submitted at the time of Building Division submittal. The specific value of the tot-lot improvements shall be verified by the Parks and Recreation Services Director prior to building permit issuance. A public access easement shall be shown over the tot-lot on the final map. The final map shall also indicate that the tot-lot be used as parkland in perpetuity.
32. The total in-lieu fee shall be calculated as specified in the Municipal Code Chapter 12.144. Staff has calculated the payment as follows:

PPH	Rec Standard	Acre Cost	No. of Homes	In-Lieu Fee	Per Home
2.72	0.0045	\$2,966,505	70	\$2,541,701	\$36,310

33. Park In-Lieu fee payments for individual homes shall be due prior to Building Division final and building occupancy.

Police Department

34. Adequate lighting of parking lots and associated car ports, driveways, circulation areas, tot lot park and trails, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with enough lighting of sufficient wattage to provide

adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness and provide a safe secure environment for all persons, property, and vehicles on site.

35. Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planting materials are encouraged along fence and property lines and under vulnerable windows.
36. Stop signs shall be installed from the side streets connecting onto the main loop road.

Community Development Department

37. In order to meet the Planned Unit Permit requirements applicant shall include a no build "open space" easement in the parcels adjacent to Shannon Drive.
38. Development shall include sidewalks on both sides of street in order to facilitate safe pedestrian movement through-out the subdivision as indicated on Alternative Sidewalk Exhibit.
39. Developer shall submit a C3 checklist to ensure all NPDES requirements will be met. HOA shall submit annual reports to the City of San Bruno in accordance with all C.3 requirements.
40. CC&R's shall include wording which requires the garage be kept clear to allow the storage of two automobiles. HOA shall strictly enforce this requirement.
41. Developer shall enter into an Affordable Housing Agreement, subject to minor conforming, technical or clarifying revisions approved by the City Manager and City Attorney, in their discretion, which agreement provides that developer shall pay an Affordable Housing Contribution of \$2,075,850 to the City in 70 equal installments of \$29,655, with each installment due prior to the issuance of a building permit for one unit in the project. The agreement must be fully executed and recorded against the property prior to or concurrently with the Final Map.
42. Driveways shall be a minimum 18' in length.
43. Lot A and Lot C if not utilized as Cell Tower or Pump station would revert to common open space and landscaped and maintained by the Homeowners Association.
44. The developer shall hold a preconstruction meeting and shall provide a contact phone number for a responsible person during construction. All property owners within 1000' of the project site shall be notified of the preconstruction meeting.
45. The applicant shall revise all applicable plan sheets to include sidewalks on both sides of all streets as indicated on the site plan titled "Alternative Sidewalk Exhibit" dated 9/13/06 and attached to the Planning Commission staff report as Exhibit "K".
46. The developer shall install new four way stop signs at the intersection of Evergreen and Maywood to the satisfaction of the Public Works Director.
47. Developer shall notify all affected property owners of utility disruptions.
134. The applicant shall clear trees designated for removal within 90 days from final project approval of this application.
135. The applicant shall work with City staff to mitigate construction traffic.
136. Eucalyptus trees shall be topped at a height of 40-50' with guidance from the project Arborist.
137. Construction hours shall be limited to those that were established for the Marisol project.
138. The applicant, working with the project Arborist shall attempt to salvage and replant the Cypress trees located along the slope to the east, to an appropriate location within the project site.

**CONDITIONS OF APPROVAL
MERIMONT PROJECT
VESTING TENTATIVE TRACT MAP
(TM-06-02)**

General

1. These conditions of approval shall govern if there is any conflict between the approved Vesting Tentative map and the conditions of approval.
2. The Developer shall pay for and construct all improvements to private land and implement any conditions or mitigation measures applicable to private land.
3. The Developer shall be responsible for the cost of all City reviews and inspections required for all improvements associated with the Development.
4. The Developer shall serve the development with City utilities, including City of San Bruno cable service.
5. The Developer shall pay all required Development Impact Fees and post all applicable bonds for infrastructure improvements to support the development in accordance with any applicable CEQA mitigations prior to approval of the Final Map.
6. All improvements shall conform to City Standard Details, CSB Municipal Code, and Conditions of Approval and shall be to the satisfaction of the City Engineer.
7. Developer shall defend, indemnify, and hold harmless the City of San Bruno, its agents, officers and employees from any claim, action or proceeding against the City of San Bruno, or its agents, officers and employees to attack, set aside, void or annul, an approval of the City of San Bruno, or any advisory agency, appeal board or legislative body of the City of San Bruno, concerning the subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of San Bruno must promptly notify the Developer of any such claim, action or proceeding and shall cooperate fully in the defense.
8. The final map must be prepared pursuant to the City of San Bruno Municipal Code (Muni Code) and Standard Engineering Practice, where the Muni Code shall govern in the event of a conflict. Show all easements, existing and proposed required for utilities, access, and any other purpose. Prior to construction, certify that all necessary right-of-way has been acquired. Convey all necessary right-of-way to HOA at first sale.
9. Prior to the approval of any Improvement Plans, Developer shall demonstrate adequate fire flow to each parcel. Prior to issuance of building permits, Developer shall submit fire flow calculations.
10. Prior to the issuance of the initial building permit *for each parcel*, the Developer shall pay for all on-site service connection fees.
11. In the event required improvements are not complete at the time of Final Map approval, Developer shall execute a subdivision agreement, in a form approved by the City Attorney, guaranteeing the completion of construction of and payment for improvements within a specified time consistent with the time limits allowed by City ordinance. Among other things, the agreement shall guarantee the completion and installation of all improvements, including, but not limited to, fencing, sewers, utilities, storm drains, sidewalks, curbs, gutters, paving, and street lighting. The improvements shall be completed within one (1) year of commencement of work. In addition, Developer shall provide the City with all bonds required by the San Bruno Municipal Code, in form approved by the City Attorney.

12. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Vesting Tentative Map shall not be valid for any purpose. Vesting Tentative Map shall expire two (2) years from the date of Planning Commission approval.
13. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
14. Developer shall enter into Maintenance Agreement, in a form approved by the City Attorney, with the City, which agreement shall set forth Developer's obligations to maintain the improvements constructed on the site. These obligations should be incorporated into the CC&R's.

Public Works

Traffic/Street

15. Show with templates that there is adequate clearance for ingress-egress of worst-case automobile/SUV at the worst-case driveways. Repeat for any other worst cases identified elsewhere by the Designer/Engineer.
16. Street entrances to the public street shall accommodate fire truck and garbage truck in gress-egress. Show adequacy with turning templates on plans. Provide street (project, internal) geometry for Fire Department apparatus access. Demonstrate geometry plan.
17. The street horizontal and vertical alignments shall be designed per City Code requirements and AASHTO guidelines. (For example, 90' min. vertical curve required for 30mph.)
18. Street pavement design shall at least conform to Section 12.44.070 of the latest Municipal Code.
19. All proposed streets, storm drains, sanitary sewer (gravity only), water and San Bruno Cable TV will be public. Streets will be constructed to meet minimum street structural standards for City residential streets. Any pump station and force mains shall be privately maintained and repaired.
20. Delineate with templates on the plans adequate clear sight triangles at all proposed street intersections and bends. Also, repeat above for driveway egress/ingress at lots near bends and near entrances to existing public streets. Any landscaping within these triangles shall be maintained such that clear sight is preserved between 2.5 feet and 8 feet.
21. Provide red curbing or signs where parking is not permitted. Show these segments on improvement plans and inform City Engineer prior to installing curbs or signs.
22. Provide signing and striping plan for on site and off site as identified in the environmental impact reports by the City Engineer.
23. Regarding Evergreen Drive, repair potholes and provide slurry seals or pay in-lieu fees approved by the City Engineer to 100' to either side of the intersection with Street "A". Developer shall obtain core samples of the existing structural section on Evergreen Drive in described area. The Developer shall reconstruct or overlay (if a structural section calculation can so justify) the roadway pavement section in above described area if the core sample obtained indicates deficiency of the existing pavement for traffic including that caused by the Development.
24. Sidewalk, curb and gutter shall be installed at least at one side of the streets within the subdivision.
25. All pedestrian facilities shall be designed in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act, including pedestrian ramps at all curb returns or round corners, where applicable.
26. All sidewalks, curb & gutter shall be monolithic, and all transverse grades shall be 2%.

27. Minimum gutter grades shall be 0.7 percent.
28. The developer shall install approved signage and striping within the development and at the intersection of the internal street with Evergreen Drive. STOP signs shall be installed at all development exits.
29. Construct temporary, all weather road with adequate drainage to allow fire apparatus access, as required by the Fire Department, prior to framing of structures.
30. Install fire lane gate with knock box if required by and located per Fire Marshall.
31. Traffic control, regulatory, warning, guide signs and markings (including fire hydrant pavement markers) shall be installed in conformance with the Manual of Uniform Traffic Control Devices, and as directed and approved by the City Engineer.

Drainage

32. All manholes in the private storm drain system not maintained by the City of San
33. Bruno shall be, neatly marked "Private S.D." with four (4) inch high letters recessed in a concrete ring around each private S.D. manhole.
34. All drainage improvements shall be to the satisfaction of the City Engineer.
35. No drainage across private property lines is permitted without approved, appropriate private easements.
36. Provide paved access sized for largest City Vactor truck to all manholes serving this development.
37. The street storm drain system shall be designed to receive 25-year storm. Storm detention shall be designed to contain a 100-year storm, and release the stored storm water at the predevelopment rate. Interceptors or other storm pollution control systems per NPDES requirements shall be installed for storm water from roadways that are not filtered by the bio-swales. Submit calculations for 25 year storm.
38. Culverts and storm drains shall be designed with the hydraulic grade line located six inches minimum below the flow line of the curb and appurtenances so as to prevent damage from a 50-year storm. Inlets or down-drains, where applicable, shall be spaced and located to relieve the street of all storm water generated by a 25-year storm. Spacing for storm drain inlets on streets with curb and gutter shall not exceed 800 feet, a maximum width of gutter flow spread not exceed to 8 feet, and ensuring that at least one lane of traffic in each direction is not submerged. A final hydrology and hydraulic report prepared by a qualified California Registered Civil Engineer shall be submitted to the City for review and approval to demonstrate full compliance with drainage system design requirements final report with final improvement plans.
39. All surface drainage from each parcel shall be sloped away from each building toward the street frontage. Provide a minimum of two percent slope away from buildings, in accordance with the UBC, and to the satisfaction of the City Engineer. All surface runoff from each parcel shall be conveyed in piped collection systems connected to the City's storm drainage system. Pipes shall have 1%, minimum slopes.
40. In conjunction with submittal of Grading Plans, the Developer shall file a Notice of Intent for storm water discharge with the Regional Water Quality Control Board. A copy of the filing shall be submitted to the City Engineer as part of the required Improvement Plans for the site.
42. Supplement drainage analysis of the existing condition of drainage lines that will service the proposed development must be completed at the cost of the project sponsor prior to the approval of the final map. This report must provide an evaluation of the existing system including pipe condition and location of all defects and obstructions. The study should indicate where within the project site blockages are located. Repair options and debris removal within the line must be identified. The amended report must provide alternate means of evaluating the

portion of line to Chateau Court which is stated in the original report as being unable to be video inspected. The report should include a site map and Chateau Court should also be indicated on the site plan. Measures recommended in the report must be implemented to the satisfaction of the City of San Bruno and City of South San Francisco Public Works Departments. Ownership of the stormdrain line shall be clarified and all necessary easements shall be indicated on Final Map.

44. Storm drainpipes shall be reinforced concrete pipe (RCP) or an equivalent approved by the City Engineer.
45. The HOA shall own the system from inlet end of the detention systems to the existing connection to the City of South San Francisco (SSF). An HOA maintenance and maintenance schedule shall be included in CC&Rs. City of San Bruno will own the storm drain collection system only within the public right of way and to the inlets of the storm drain detention systems.

Water

46. The water system within the subdivision shall be public.
47. Water pipes shall be ductile iron pipe (DIP).
48. Construct 8" min. DIP mains within proposed internal, Carl Sandburg School Site Development (CSSSD) streets. Replace with an eight (8) inch water lieu, or pay in line cost of replacement the existing (6) inch water main located in Evergreen Drive, between Sherwood Dr. and the proposed main entrance street to the CSSSD. All water mains are to be within streets or within approved 15 ft (min) wide dedicated easements.
49. City will prepare an analysis report, including modeling, of the City's distribution system including tanks, pumping stations, lines and facilities necessary to serve the project. The report will identify condition (age, condition and capacity) of this system and the improvements of this system needed to cumulatively serve this project with any proposed, nearby subdivisions. Developer shall implement improvements or pay pro rata share required by the City Engineer, and pay for all costs associated with the above study. Improvements or in-lieu costs shall be in proportion to the developer's pro rata share of the water system, as determined by the City Engineer
50. Developer shall pay for pro-rata share or in-lieu fee for replacement of and upgrades for deficient off-site water facilities serving and made deficient by the development in proportion to the development's water consumption, per recommendations of the required analysis report,.
51. Developer shall install an automatic blow off valve, wasting to the Sanitary Sewer, at the end of any waterline that dead-ends.
52. Relocate and/or install fire hydrants as required by the Fire Department.
53. Prior to the approval of any Improvement Plans, Developer shall demonstrate adequate fire flow to each parcel. Developer shall submit fire flow calculations prior to issuance of building permit for each parcel.
54. Prior to the approval of the Final Map or approval of Development plans, the Developer shall submit Improvement Plans for the Water System as separate numbered sheets included in the improvement plans. The Developer shall be responsible for the placement of on-site hydrants. The location and number of hydrants shall be established in the Improvement Plans and fire flow shall be to the satisfaction of the Fire Marshall.
55. All public water mains shall be located within street right-of-way or appropriate easements.
56. Loop the water system with the looped Merimont water system connections at the intersections of Evergreen Dr. and Albright Way, and at Evergreen Dr. at the proposed Street "A". However, replace with an 8-inch main, per the Master Plan, the existing 6-inch main in Evergreen Dr.

between Albright Wy. and Street "A". This replacement must be completed before start of wood construction in Merimont or as required by the Fire Dept. There shall be no water line "cross" for the loop in the internal Merimont intersection of Street "A", as shown on the plans. Instead, the mains shall bend and pass each other in the Street "A" intersection to form the loop;

57. Pressure reduction valves (PRV) will be required at each individual home, behind each of the water meters and before the house valves. Pressure relief valves may be added between the PRV and the individual house valve, as a precaution;
58. All proposed, water mains must be 8-inch diameter, ductile iron pipe with stainless lug or like joint restraints. All water mains shall be wrapped; not bagged. Please, confer with the Water Division for further details;
59. Install a sampling station in Street "A" at Lot 19 of the Tent Map plan (See Water Division for details).
60. Install an isolation valve in the Street "A" water main at lot 16.

Grading

61. Prior to the issuance of grading permit, the applicant shall provide Public Works Department with a plan indicating the amount of soil to be removed, disposal sites, the number of truck trips required and the proposed haul routes. A survey of the conditions of the road surfaces to be used during construction shall be conducted jointly by representatives of the City of San Bruno and the Developer to document the condition of the roadway prior to the beginning of the grading. A similar survey shall be conducted when at least 95% of all major heavy construction traffic on the roadways associated with the project is completed. The applicant shall pay the Haul Route Permit Fee as calculated from the Master Fee Schedule before starting earthwork.
62. Grading plans with appropriate erosion control measures shall be required for the development. Grading plans shall show all adjacent properties sufficiently to assure that the proposed grading for each parcel does not negatively impact adjacent lands and shall incorporate drainage features necessary to assure continued drainage without erosion from adjacent properties.
63. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the City of San Bruno and the Regional Water Quality Control Board subsequent to the approval and issuance of grading and building permits and prior to the approval of the Improvement Plans.
64. Provide continuous positive drainage away from tops of retaining walls or drain away from wall in a closed system. Swales shall have positive drainage in conduits or swales to storm drain system and be of such size as to intercept and carry without spillage or seepage all runoff from areas the drain into them under 25-year storm conditions, as determined by a registered civil engineer.
65. Area drain grates in landscaped common areas shall be cast iron, and shall be a minimum of 0.75 square foot in area.
66. Prior to the issuance of a grading permit, Developer shall obtain from the California State Water Resources Control Board a General Construction Activity Storm Water Permit under the National Pollutant Discharge Elimination System (NPDES) if applicable. Developer shall comply with all requirements of the permit to minimize pollution of storm water discharges during construction activities. The permit shall include any work by public and/or private utilities performing work on behalf of Developer, if applicable.
67. Developer shall implement the recommendations of a geotechnical report by a registered Geotechnical Engineer. The geotechnical investigation shall provide data to evaluate the geotechnical conditions of the site and provide seismic, landslide and mudslide evaluation and

recommendations and recommendations for appropriate soil engineering to reduce seismic hazards. Developer shall implement geotechnical recommendations of the Geotechnical Engineer. In addition, the proposed project shall comply with latest building and grading codes of the City of San Bruno, and if applicable, building and grading codes of San Mateo County. All construction and grading will comply with seismic, landslide, mudslide, structural and grading requirements of the latest addition of the Uniform Building Code (UBC) and the local building official. In the event requirements of building official are stricter than the UBC, the requirements of the City Building Official will govern. All geotechnical recommendations and requirements of the UBC and local building codes, if applicable, shall be incorporated into the project design and become part of the project's grading and construction specifications. The Geotechnical Engineer who prepared the geotechnical report shall review all improvement plans prior to submittal of plans to the City and conduct any inspections, testing and other actions during construction that are called for the geotechnical report.

68. Engineered retaining walls over 3 feet in height shall be constructed of approved durable material, to the satisfaction of the City Engineer, Planning Director, and Building Official. The top of all retaining walls shall be curved to ensure proper drainage and maintenance.
69. The grading plans shall minimize the need for off haul from the Project Site. Design shall incorporate all elements of the applicable soils report(s) and include a pre-and post consolidation plan. The grading plans shall be signed off by the Geotechnical Engineer indicating that plans are in compliance with the geotechnical report and subject to review and approval of the City Engineer.
70. If the geotechnical report reveals significant future settlement will occur, all surface drainage systems shall be designed to provide a minimum of two percent slope after settlement, and shall be satisfactory to the City Engineer.
71. The erosion control plan sheets shall be included as separate, numbered sheets in the grading plan of the improvement plans. The erosion control measures depicted on the plan shall be paid for by the Developer.
72. Prior to the approval of any Improvement Plans, Developer shall provide the City Engineer and Director of Planning a post-construction plan incorporating BMP's into the storm drainage system. These BMP's shall be maintained and repaired by the HOA as outlined in the CCR's.
73. As part of the Improvement Plans, Developer shall prepare and submit grading plans with appropriate erosion control measures, against storm and wind, for the overall grading of each parcel showing runoff containment until each parcel is developed with post-construction Best Management Practices (BMP's). Temporary control structures shall remain in place until parcels are completely developed. A Maintenance Plan shall be submitted to the City Engineer indicating contractor responsibility for complying with the erosion control plan for the duration of the construction project. The Maintenance Plan shall include dust control, but is not limited to BMP's as outlined in the Storm Water Pollution Prevention Plan (SWPPP), and shall be to the satisfaction of the City of San Bruno and meet all Regional Water Quality Control Board (RWQCB) requirements.

Utilities

74. All public utilities shall be centered within public easements.
75. Joint trenches under sidewalks shall include telephone, City of San Bruno (CSB) Cable TV, electrical, communication, television, and gas lines. The trench width and depth shall be to the standards of the utility companies and to the satisfaction of the City Engineer.

76. Utility clearances between utility mains, CSB Cable TV, sewers, structures or other objects shall be to the satisfaction of the City Engineer. A minimum of one-foot vertical and 10 feet horizontal clearance shall be maintained between sewer and water lines.
77. Developer shall provide evidence that application for utility improvements has been submitted to utility companies, including, but not limited to, Pacific Gas and Electric, CSB Cable TV and Telephone, at the time building permit application is submitted.
78. Prior to approval of the Final Map, Developer shall complete construction of all public roadway utility improvements and required private improvements or enter into a subdivision improvement agreement providing for the construction of the improvements.

Construction

79. Construction activities shall be limited to the times set forth in the Municipal Code.
80. Prior to the issuance of any permits, certificates of insurance shall be provided to the City verifying that both the owner of the subdivision and any contractors have public liability insurance. The amount and type of insurance shall be reviewed by the City and shall be sufficient to cover damages that may result from construction and operations. The insurance limits shall be as required by the City Attorney. Combined single limit coverage and the policy shall be subject to review and approval of the City Attorney.
81. During construction, Developer and its contractors must comply with the City's Recycling and Diversion of Construction and Demolition Debris Ordinance (No. 1659). Under this ordinance, all new construction is required to divert from landfills at least 50 percent of the total generated waste tonnage through recycling, reuse, salvage and other diversion programs. Provide post-construction recycling facilities maintained and repaired as stipulated in CC&R's. The Developer shall submit a plan for recycling building and construction materials that are generated from the waste materials from the construction of the project. The plan shall be subject to review and approval of the City prior to the issuance of any building permits. Prior to the issuance of the first certificate of occupancy, the Developer shall submit documentation to the Building Department that the materials have been recycled in accordance with the approved plan.
82. Haul routes for construction shall be reviewed and approved by the City Engineer.
83. Upon completion of site grading and each development phase, the applicant shall repair all roads damaged by construction vehicles to the conditions existing prior to project construction and to the satisfaction of the City Engineer.
84. A water truck or on-site water supply shall be maintained at the site, and utilized for dust control during the entire duration of the project construction, including holidays, and weekends.
85. All construction equipment shall be properly tuned and maintained to keep NOX emissions to a minimum during construction. Maintenance records for all construction vehicles shall be kept on site. Construction equipment and trucks shall be properly muffled in accordance with manufacturer's specifications.
86. Developer shall submit a project-phasing plan prior to the approval of the Final Map.
87. Noise-generating construction activities shall be performed only as limited by City of San Bruno Municipal Code.
88. Construction contractors shall locate fixed construction equipment (such as compressors and generators) and construction staging areas as far as possible from adjacent residences.

Easements

89. The Final Map shall include a "public access easement" over the park parcel. The final map shall also indicate that the tot-lot be used as parkland in perpetuity.
90. All private and public utility easements shall be of 5-15 feet wide minimum width.

91. The Developer shall acquire at Developer's cost all the off-site easements, right-of-way and land required for the development of this subdivision.
92. The Developer shall dedicate on the Final Map public utility easements for all public utilities on private lots or parcels. All proposed utility easements, any City required non-access strips and all other easements in general shall be shown on the Final Map.
93. All easements for use other than public utilities including but not limited to private right-of-way, drainage, conservation, and open-space, shall be so noted in the Final Map. Developer shall convey these private easements to the HOA via the CC&Rs, with the stipulation that they shall be perpetually the HOA's responsibility for maintenance and repair, and the HOA will hold and save the City of San Bruno harmless from all claims of any kind related to them.

Lighting

94. The street light system within the subdivision shall be public, except that HOA will maintain and repair light fixtures at its own expense.
95. Provide on-site light fixtures that direct light downward to on-site surfaces, without glare to off-site properties.
96. Prior to approval of the Final Map, a final electrical plan for the installation of streetlights on-site and in the public right-of-way shall be submitted by the Developer for review and comment. Information in the lighting plan shall include, but is not limited to, the following: pole type(s), luminaire type(s), conductor and wiring schedule, points of connection, lamp wattage, pull box locations, load and intensity calculation. The streetlights shall be installed and operational prior to the issuance of a Certificate of Occupancy for the first building in the project.
97. Construct streetlights to City standards and requirements on the intersection of Evergreen Drive and the internal streets to provide a 1 candle-foot per sq. ft. minimum light intensity.

Sanitary Sewer

98. The development shall be entirely gravity sewered, except as conditioned below.
99. The applicant's study prepared by BKF Engineers documents the current flow capacity of the off-site sewer main serving the project site and the percentage impact of the proposed project on those portions of the existing sewer main that are deficient. The report shall be to the satisfaction of the City Engineer. Implement prorated share of improvements required by the City Engineer, including payment of \$9,396 prior to Final Map for prorated share of improvements. The study shall include recommendations for or against gravity sewerage the subdivision including cost, with supporting data. If a pump station is recommended, the pump station shall be constructed of new, quality materials and equipment to City specifications. Noise attenuation enclosures shall be installed around the station to the satisfaction of the City Engineer. If a pump station is built, operation, maintenance, and repair shall be the responsibility and expense of the Developer and Homeowners Association (HOA). Arrangements for operation, maintenance, and repair of a pump station shall be subject to a maintenance agreement and periodic review by the City at Developer and HOA expense. The maintenance agreement for a pump station shall save and hold the City harmless from any and all related claims, including damage and expenses due to unlawful releases.
100. Provide paved, supportive access for the City's flush truck to all sanitary manholes.
101. Sewer mains shall be a minimum of 6 inches in inside diameter.
102. Flushing sanitary sewer cleanouts are required on all dead-end lines, whether in a cul-de-sac or at a dead-end street, except where the line is terminated at a manhole. Flushing cleanouts shall be located not more 150 feet from a manhole. Sewer lines shall be constructed through the development to upstream properties and shall include capacity for upstream area.

103. The Developer shall video and the existing sewer line in Evergreen Drive from Sherwood Drive to Valleywood Drive. The acceptance of the existing sewer line as suitable to serve is subject to the City Engineer's approval. The Developer shall repair or replace the sewer line or pay in lieu pro rata share fees for repair or replacement if the existing condition or capacity is found to be unsatisfactory subject to the City Engineer's approval.
104. Any use of a drop manhole for any sewer line is subject to the City Engineer's approval. The sewer line shall be designed to conform with City's current standard.
105. Sewer pipes shall be polyvinyl chloride pipe (PVC) or vitrified clay pipe (VCP).
106. The video results indicated blockages which will have to be cleared and the video survey rerun over the unblocked sections. The video identified, sewer lateral encroachments into the Evergreen Dr. sewer main will have to be removed and cleared by SummerHill Homes and the line revideoed to the satisfaction of the Public Works Director.

Maps/Plans

107. The Final Map shall include sidewalks on both sides of all streets as indicated on the site plan titled "Alternative Sidewalk Exhibit" dated 9/13/06 and attached to the Planning Commission staff report as Exhibit "K".
108. Prior to approval of the Final Map, all conditions of approval of the approved Tentative Map shall be satisfied unless otherwise approved by the City.
109. The vesting tentative map must be prepared pursuant to the City of San Bruno Municipal Code (Muni Code) and Standard Engineering Practice, where the Muni Code shall govern in the event of a conflict.
110. The Tentative Map and Final Map shall show all existing right of ways and easements, and any proposed street "non access strips", and public utility easements for public dedications and other easements.
111. The Developer shall submit a final subdivision map prepared by a qualified Registered Civil Engineer or Licensed Land Surveyor in accordance with the State Subdivision Map Act and all local ordinances. The applicant shall submit current title reports with the final subdivision map submittal.
112. The final map for the proposed subdivision shall be prepared according to the tentative map approved by the Planning Commission, except as required to be modified by the City approved Conditions of Approval. Any further modification to the approved map shall require prior approval by the Community Development Director.
113. Improvement Plans shall be submitted on 24"x36" standard plan sheets. Scale shall be sufficiently large for clarity and review. Street Improvement Plans and Profiles shall have a minimum of 1"=20' scale. The Site Plan and Grading Plans shall have a minimum scale of 1"=40'. Submit an AutoCAD version of the final improvement plan to the City.
114. Prior to approval of the Final Map, the Developer shall submit engineered Improvement Plans (including specifications & engineers cost estimates) for approval by the City Engineer, showing any and all infrastructure necessary to serve the Development.
115. The Developer shall provide, as part of its Improvement Plans submittal and/or building plan submittal, detailed structural calculations and design details for retaining walls and sound walls, which may be constructed as part of the Project. Walls shall incorporate drainage features recommended in the geotechnical report to ensure proper drainage. The aesthetic design shall be to the satisfaction of the Planning Director. The structural and drainage design shall be to the satisfaction of the City Engineer and Building Official.

116. The Improvement Plans shall include and meet all the necessary requirements of the City of San Bruno, and the San Mateo Countywide Stormwater Pollution Prevention Program and shall be approved by the City Engineer.
117. At the completion of construction of the public improvements, the Developer is obligated to provide all required information to the City including, but not limited to, as built (a print set, reproducible mylar and electronic file compatible with Public Works records), and all certifications, warranties, guarantees, proof of payment to outside agencies.
118. Developer shall submit a project phasing plan prior to the approval of the Final Map.

Surveying

119. Monument Evergreen Drive at Sherwood Drive, and at the internal street intersections, including new intersection with Evergreen.

Landscaping

120. Prior to approval of the Final Map, the Developer shall submit to the city a landscape planting plan for review and comment.
121. Prior to the issuance of a city building permit, a maintenance of landscaping agreement shall be signed by the Developer for the maintenance of the proposed street trees, medians, and irrigation systems, which agreement shall run with the land and be binding upon successors in interest of the Developer.
122. All landscaping shall be properly maintained and comply with the City of San Bruno Water Efficient Landscape and Irrigation Guidelines. A copy of these guidelines is to be included as an appendix to the CC&R's.
123. Developer shall prepare a Landscape Plan for the proposed development. This Landscape Plan shall be reviewed and approved by a Geotechnical Engineer and the City of San Bruno to assure expansive soil hazards identified in the design-level geotechnical report have been adequately assessed and the project can achieve conformance with geotechnical recommendations. The Landscape Plan shall be incorporated into the final project plan and be added as part of the project specifications related to grading, erosion control, and construction.

CC&R's

124. A Homeowners Association (HOA) shall be required, and shall be responsible to maintain and repair, at HOA cost, all private utilities. This responsibility shall be described and assigned in the CC&R's.
125. CC&R's shall be recorded as deed restrictions with the Final Map.
126. Developer shall enter into a Maintenance Agreement, in a form approved by the City Attorney, with the City, which agreement shall set forth Developer's obligations to maintain the improvements constructed on the site. These obligations shall be incorporated into the CC&R's.
127. All private utilities and private street facilities within the development shall be maintained and repaired by the Homeowners' Association. All maintenance and repair shall be specifically stipulated in the CC&R's to the satisfaction of the City Engineer. All public streets and public utilities shall be maintained by the City.
128. Prior to the application for any building permit for the site, two copies of the approved and recorded CC&R's shall be submitted to the City Engineer and Planning Director.
129. The maintenance of any retention or detention system shall be the responsibility of the Homeowners Association and included in the CC&R's. Developer shall be responsible for the cost of construction and maintenance of any required detention system until it is turned over to the HOA.

130. The Developer shall install and maintain, as stipulated in the CC&R's, vegetated drainage swale, detention pipes, landscaped areas, or any other storm pollution control devices, etc. for the storm-water collected from impervious surfaces.
131. The CC&R's shall describe how the storm drainage, storm water BMP's associated with Association owned improvements, and the landscaping shall be funded and maintained by the Homeowners' Association, all to the satisfaction of the City Engineer.
132. The CC&R's shall state that the home owners shall be responsible for maintaining the street trees at the frontage of their properties.
133. The CC&R's shall state that the HOA shall be solely responsible for maintaining and repairing all slopes within the common area of the subdivision boundary and related to the development, Slumps, drainage problems, and slides and mudslides shall be immediately repaired. Responsibility shall be for maintenance and repair of slopes against slumps, landslides, mudslides, and drainage problems. Landslides and mudslides shall be immediately repaired.

Miscellaneous

134. Apply graffiti coating to all perimeter walls.
135. The development of each parcel shall meet all the setback requirements and shall be to the satisfaction of the Building Official, Planning Director, and City Engineer.
136. Prior to the issuance of a building permit or approval of the Final Map, the Developer shall demonstrate adequate emergency vehicle access satisfactory to the City of San Bruno Fire Marshal, and shall demonstrate adequate utility capacity for the development (this includes storm drainage, sanitary sewer, and water).
137. Prior to the issuance of building permits, Developer must demonstrate that all designs for residential units include adequate storage space for projected recyclable and refuse materials. In addition, Developer shall provide adequate storage space in screened garbage areas.
138. The Sherwood Drive curb, between Evergreen Drive and the Emergency Vehicle Access gate, shall be painted red to indicate no parking. No parking signage shall be installed to the satisfaction of the Public Works Director.
139. The project sponsor shall work with the Public Works Director to identify additional traffic benefits on Evergreen Drive, Maywood Drive, Oakmont Drive and Valleywood Drive (such as additional signage).
140. The final map shall include an additional public right-of-way access at Way "C" to Albright Way.
141. The applicant shall increase on-street parking by providing parking on both sides of Street "A" between lots 26-35.

Chair Mishra advised of a 10-day appeal period.

RESOLUTION NO. 2006 – 08

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN BRUNO
APPROVING A PLANNED UNIT PERMIT AND VESTING TENTATIVE SUBDIVISION MAP
FOR THE MERIMONT PROJECT**

(APNs 019-143-210, 091-143-220 and 017-161-050) - (PUP-06-01, TM-06-02)

WHEREAS, San Bruno Park School District ("Owner") is the owner of that certain 10.3 acre site located at 2396 Evergreen Drive in the City of San Bruno and more particularly described as Assessor's Parcel Numbers 019-143-210, 091-143-220 and 017-161-050 (the "Property"), and SummerHill Homes ("Applicant") is the applicant for the development;

WHEREAS, Applicant desires to develop 70 new single family homes on the Property from Evergreen Drive, with associated roadways and infrastructure (the "Project"), and;

WHEREAS, a Notice of Public Hearing was mailed on September 8, 2006, and duly posted in the San Mateo Times on Saturday, September 9, 2006, and;

WHEREAS, the Planning Commission held a Public Hearing on the Planned Unit Permit and Tentative Map on September 19, 2006 and on said date, the Public Hearing was opened, held and closed, and;

WHEREAS, at the Public Hearing, the Planning Commission considered an Initial Study and Draft Mitigated Negative Declaration, dated August 15, 2006, been prepared by Environmental Science Associates (ESA) to analyze the environmental effects of the Project and, based on the type and intensity of land uses identified with the proposed Project and the information contained in the Initial Study, the Project would not have a significant adverse effect on the environment that would not be mitigated by the proposed mitigation measures.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Bruno, based on facts in the staff reports, written and oral testimony, and exhibits presented:

1. With respect to the Vesting Tentative Map, the Planning Commission hereby finds:
 - a. The proposed tract map, together with the provisions for its design and improvement, is consistent with the general plan, as amended pursuant to the Planning Commission's recommendation, and any specific plan as specified in Section 65451 of the Government Code.
 - b. The real property to be subdivided, and each lot or parcel to be created, is of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, geologic hazard or other menace.
 - c. Each lot or parcel to be created will constitute a buildable site and will be capable of being developed in accordance with the applicable provisions of the zoning code, as amended pursuant to the Planning Commission's recommendation.
 - d. The site is physically suitable for the type and proposed density of development.

e. *The design of the subdivision and improvements, and the type of improvements, is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat or to cause serious public health problems.*

f. The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed subdivision.

2. With respect to the Planned Unit Permit, the Planning Commission hereby finds that the proposed Planned Unit Permit is consistent with the Development Plan, as recommended for approval.

3. The Planning Commission hereby approves the Planned Unit Permit and Vesting Tentative Map, subject to the conditions of approval attached hereto as Exhibit A.

Dated: September 19, 2006

Planning Commission Chair

ATTEST:

APPROVED AS TO FORM:

Planning Commission Secretary

City Attorney

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I, Tambri Heyden, Planning Commission Secretary, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of San Bruno this 19th day of September, 2006 by the following vote:

AYES: Commissioners: Mishra, Chase, Johnson, Marshall, Petersen, Sammut

NOES: Commissioners: _____

ABSTAIN: Commissioners: _____

ABSENT: Commissioners: Biasotti

F. Discussion

1. City Staff Discussion
 - a. Select Oct 12 ARC meeting, 2006 Architectural Review Committee Members
Marshall, Sammut, Chase (alternate)
2. Planning Commission Discussion
Today is Aaron's birthday, 29 today.

G. Adjournment

Meeting was adjourned at 10:30 pm

Tambri Heyden

Secretary to the Planning Commission
City of San Bruno

Sujendra Mishra, Chair

Planning Commission
City of San Bruno

NEXT MEETING: October 17, 2006

TH/ch